

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
WESTERN DIVISION

GABRIEL MALUAL

PLAINTIFF

VS.

CIVIL ACTION NO. 5:11cv155DCB-JMR

SOUTH DELTA SCHOOL DISTRICT

DEFENDANT

ORDER

This cause came on this date to be heard upon the Report and Recommendation of the Chief United States Magistrate Judge, after referral of hearing by this Court, and the Court, having fully reviewed the Report and Recommendation of the Chief United States Magistrate Judge entered in this cause, and being duly advised in the premises, finds that said Report and Recommendation should be adopted as the opinion of this Court.

IT IS, THEREFORE, ORDERED that the Report and Recommendation of Chief United States Magistrate Judge John M. Roper be, and the same is hereby, adopted as the finding of this Court, and the same entire action should be dismissed without prejudice for the Plaintiff's failure to prosecute and failure to comply with 41(b) of the Federal Rules of Civil Procedure.

A separate judgment will be entered herein in accordance with the Order as required by Rule 58 of the Federal Rules of Civil Procedure.

SO ORDERED, this the 18th day of March, 2013.

s/ David Bramlette
UNITED STATES DISTRICT JUDGE